

Fiscal Estimate - 2013 Session

Original Updated Corrected Supplemental

LRB Number 13-2251/3	Introduction Number SB-287	
Description Allowing placement of net pens in navigable waters under a statewide general permit and exceptions for certain requirements that apply to fish farms		
Fiscal Effect		
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations		
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
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Fiscal Estimate Narratives

DATCP 9/11/2013

LRB Number	13-2251/3	Introduction Number	SB-287	Estimate Type	Original
Description Allowing placement of net pens in navigable waters under a statewide general permit and exceptions for certain requirements that apply to fish farms					

Assumptions Used in Arriving at Fiscal Estimate

This bill requires DNR to issue a statewide general permit that authorizes a person to place a net pen in a navigable water as long as the net pen meets certain conditions. The bill specifies that a person may place a net pen only used to hold or rear fish. The bill specifies that a person may place a net pen only for noncommercial purposes. The fish must be stocked, and released into the water, by DNR or by a person who has a fish stocking permit.

Under current law, the Department of Agriculture, Trade and Consumer Protection (DATCP) administers laws regulating fish farms. A fish farm is a facility at which a person hatches fish eggs or rears fish for the purpose of introduction into the waters of the state or for various other purposes including human or animal consumption. Current law requires most persons who bring fish or fish eggs into this state for the purpose of introduction into the waters of this state to obtain an import permit from DATCP. Current law specifies that a person bringing fish or fish eggs from a fish farm in another state to a fish farm in this state is not required to have an import permit if the person has a fish health certificate that covers the fish or fish eggs. Current law also requires a person who operates a fish farm to annually register the fish farm with DATCP.

This bill exempts a person who is authorized under a general permit to place a net pen in the waters of this state from obtaining a permit from DATCP or registering that net pen with DATCP as a fish farm. Currently, there are no net pens that are registered as fish farms. Thus, DATCP will not lose any existing revenue due to this bill.

Any potential loss in future revenue due to the bill is indeterminate. Import permits issued by DATCP require a fee of \$90 per source of purchased fish. Assuming the persons having the exempt net pens under this bill would register as a type 2 or 3 fish farm, the registration fee would range from \$125 for a maximum of 5 registration locations to \$300 for 20 or more registration locations. Because it is unknown how many persons will be authorized under a general permit to place a net pen in the waters of this state, how many registration locations they will have and how many fish will be imported from fish farms or other sources, any lost revenue to DATCP is indeterminate.

If DNR establishes a net pen under the bill, it is already registered with DATCP as a type 2 or 3 fish farm with more than 20 registration locations. Therefore, because DNR is already registered as a fish farm, the agency's exemption under the bill from fish farm registration with DATCP will have no fiscal effect on the department. DATCP may or may not lose potential future revenue due to the bill exempting the net pen owners (DNR) from obtaining an import permit depending on the source of the fish purchased to stock the net pens.

The bill provides that after the date on which fish are placed in a net pen under the authority of a general permit, DATCP's authority to regulate fish farms does not apply to fish held in that net pen. This provision will have no fiscal effect on DATCP.

Long-Range Fiscal Implications